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2633

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------------|---|-------------------------------------|
| In re U.S. Patent Application of: |) | <u>Group Art Unit: 2633</u> |
| |) | |
| Chang Hee LEE <i>et al.</i> |) | <u>Examiner: J. Chan</u> |
| |) | |
| Serial Number: 09/732,773 |) | <u>Attorney Docket: LEEC3022beu</u> |
| |) | |
| Filed: December 11, 2000 |) | <u>Confirmation No.: 2723</u> |

For: Low-Cost WDM Source With An Incoherent Light Injected Fabry-Perot Laser Diode

AMENDMENT AND RESPONSE

Honorable Commissioner For Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

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AUG 13 2004

Technology Center 2600

Sir:

This paper is in response to the Official Action dated July 14, 2004.

Applicant elects **Species 3, Fig. 4a**, for further examination on the merits at this time.
The election is without traverse.

Claims 1-56 read on the elected embodiment. Of these, claims 1-52, and 56 are generic.

It is respectfully noted that claims 53-55 are the only claims specifically limited to the embodiment illustrated in Fig. 4a, and which exclude the embodiment of Fig. 4b because claims 53-55 recite a single optical fiber to connect the remote node with the central office. The remaining claims are all generic because they recite a multiplexing system, method, or apparatus that can be used in the "application" illustrated in Fig. 4a, *i.e.*, because the central office and remote node of Fig. 4a can use any of the specific arrangements shown in Figs. 2, 3, and 5, and recited in the remaining claims.

Serial Number 09/732,773

Having thus complied with the species restriction requirement made in the Official Action, early and favorable action on the merits is requested.

Respectfully submitted,

BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to read 'B. Urcia', with a long horizontal flourish extending to the right.

By: BENJAMIN E. URCIA
Registration No. 33,805

Date: August 11, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: CHANG HEE LEE ET AL

SERIAL NO.: 09/732,773

GROUP ART UNIT: 2633

FILED: December 11, 2000

EXAMINER: J. Chan

FOR: LOW-COST WDM SOURCE WITH AN
INCOHERENT LIGHT INJECTED FABRY-PEROT
LASER DIODE

ATTY. REFERENCE: LEEC3022/BEU

COMMISSIONER OF PATENTS

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Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- ☐ Small entity status under 37 CFR 1.9 and 1.27 is claimed.
- ☒ No additional fee is required.

The fee, if any, has been calculated as shown below:

| Fee Basis | Number of Claims After Amendment | Highest Number Previously Paid For | Extra Claims | Small Entity | Full Fee |
|--|----------------------------------|------------------------------------|--------------|--------------|-----------|
| Total Claims | | ¹ | ³ | × \$ 9 = | × \$ 18 = |
| Independent Claims | | ² | ³ | × \$ 43 = | × \$ 86 = |
| <input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim | | | | + \$145 = | + \$290 = |
| TOTAL | | | | | |

¹ If less than 20 enter 20.² If less than 3 enter 3.³ If less than 0 enter 0.


- ☐ Please charge my Deposit Account Number 02-0200 in the amount of \$ _____. A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$ _____ is attached.
- ☐ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.
- ☐ Also enclosed is/are:

23364

Customer Number
Phone: (703) 683-0500

DATE: August 11, 2004

Respectfully submitted,


 Benjamin E. Urcia
 Attorney for Applicant
 Registration Number: 33,805